

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/471,101 12/21/99 REYNOLDS

C CYBE.001US1

020227 WM02/1215
MAJESTIC PARSONS SIEBERT & HSUE
SUITE 1100
FOUR EMBARCADERO CENTER
SAN FRANCISCO CA 94111-4106

EXAMINER

HOLLOWAY, T.L., F

ART UNIT

PAPER NUMBER

2635

DATE MAILED:

12/15/00

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/471,101

Applicant(s)

REYNOLDS

Examiner
Edwin C. Holloway, III

Group Art Unit
2635



Responsive to communication(s) filed on Dec 21, 1999

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-20 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

EXAMINER'S RESPONSE

1. In response to the application filed 12-21-99, the application has been examined. The examiner has considered the presentation of claims in view of the disclosure and the present 5 state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

INFORMATION DISCLOSURE STATEMENT

2. The prior art cited in the IDS filed 12-21-99 has been 10 considered by the examiner and an initialed copy of the form 1449 is included with this Office Action.

SPECIFICATION

3. Applicant is reminded to update the cross-reference to related applications to include the serial numbers, status, and 15 patent numbers where applicable.

CLAIMS

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

20 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-12 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

In claim 1 line 5, "said distinguishable surfaces" lacks proper antecedent basis.

In claim 1 line 7, "may be" is not a positive limitation.

5 In claims 6 and 7, "said control socket" lacks proper antecedent basis because it is not clear if this refers to the first or second control signal socket.

In claim 20 the meaning of "7 of one" is unclear.

ART REJECTION

10 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

15 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

20 7. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over CHENG `174 (US 5644174), PULIZZI (US 5923103) or CHENG `455 (US 5563455) in combination with LORD (US 5198806), SINGH (US 5347167), ORTIZ (US 5198806) and/or EMM 96 electronic engineers master catalog published by Hearst Business Communications, Inc.

CHENG `174 discloses a universal AC sequencer for a server. The sequencer includes first control signal (input) socket 204, second control signal (pass thru output) socket 208, status

indication LED's 216, switched power output sockets 130,140 controlled by control circuitry 250 including relays RLYM, RLY2. An IED AC input socket is included for a detachable power line or cord. The power sockets and control in socket are shown on a different parallel sides in fig. 3, but a housing is not particularly discussed. See col. 1 lines 1-10, col. 2 line 1 - col. 6 line 55.

PULIZZI discloses a remote switched output power controller 10 including first control signal (input) sockets 142,160, second 10 control signal (pass thru output) socket 144,162, status indication LED's 30, switched power output sockets 16 controlled by control circuitry 18 including relays 60-76. The power sockets and control in socket are shown on a different parallel side in fig. 1, but a housing is not particularly discussed. 15 See col. 1 line 46 - col. 4 line 62, col. 5 line 48 - col. 7 line 65.

CHENG '455 discloses an AC sequencer including first control signal (input) 750, second control signal (pass thru output) 760, switched power output sockets 512-520 controlled by control 20 circuitry 560 including relays 562,564. The power sockets and control in socket are shown on a different parallel side in fig. 4a, but housing is not particularly discussed. See col. 1 line 1 - col. 2 line 52, col. 5 lines 15-67, col. 8 line 50 - col. 9 line 3, col. 11 line 57 - col. 12 line 29.

25 LORD discloses a remote controlled power supply 10 for a

computer 25 including a box shaped housing (fig. 2), first control signal (input) socket 100, second control signal (pass thru output) socket 65, switched power output socket 15 controlled by control circuitry including relay 220. The power 5 socket is on a different side or surface from the control sockets. See col. 3 line 45 - col. 4 line 45, col. 6 line 53 - col. 7 line 35.

SINGH discloses a remote controlled power supply 1 for a computer including a box shaped housing (2), first control signal 10 (input) socket 7, switched power output sockets 4 controlled by control circuitry including relay (figs. 5,6). The housing includes power sockets on both the same and opposite side or surface from the control sockets. These surfaces may be considered front and rear, as position of the housing is 15 relative. See col. 3 line 21 - col. 4 line 65; col. 5 lines 11-63, col. 6 line 38 - col. 7 line 11.

EMM 96 discloses rack mounted remote controlled power supplies such as the MPD-100R MPD-100 IEC including a 1 3/4 inch high box housing for mounting in 1 standard rack unit, remote 20 on/off control sockets on front, IEC power input socket for detachable line or cord on rear and switched power output sockets on rear. The TPC 115-10 and TPC 115-10/MTD include the above features and indicator lights. The IPC 3202 includes all the above features except only a single input on the rear is shown. 25 The satellite antenna lightning arrester system on page 2260

includes RJ45 phone/data sockets on a 1.75 inch rack mount unit. See pages 2260-2261, 2326-2329, 2340-2343, especially pages 2260 and 2341.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cheng '174, PULIZZI, or Cheng '455 to include the housing limitations of LORD, SINGH ORTIZ and/or EMM 96 because Cheng and PULIZZI refer to rack mount or stacked units, because EMM 96 discloses the claimed rack mount housing for analogous art remote controlled power supply including devices by PULIZZI, because ORTIZ states that locations of the connectors can be different, because rack mounts are common in computer use and because it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70. The inclusion of 2, 4 or 8 pairs of control sockets associated with one or more independently controlled power supply sockets would have been obvious in view of the various configurations shown in EMM 96 and because plurality of part for multiplied effect is well known to be obvious.

20 OTHER PRIOR ART CITED

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. FEDEROWICZ (US 5424587) discloses a remote controlled power module with modular phone jacks and status LED's. See col. 3 line 5 - col. 5 line 11.

CONTACT INFORMATION

9. Any inquiry of a general nature or relating to the status of this application should be directed to the **Technology center 2600 receptionist** whose telephone number is **(703) 305-4700**.

5 Facsimile submissions may be sent to fax numbers **(703) 308-9051, 308-6734 or 305-3988** which will be electronically forwarded to customer service (contractor) to determine whether the fax is OFFICIAL or UNOFFICIAL and E-mail a notification to the examiner. Official faxes will be sent directly to the technical support staff for entry. Unofficial faxes should be printed by the office manager or SPE within two working days. **Official faxes** are all signed faxes, which have not been marked as unofficial. **Unofficial faxes** are any unsigned faxes, interview agendas, or any paper designated by the applicant or the applicant's attorney/agent as unofficial. Since the examiner does not have immediate access to faxes, urgent submissions may be E-mailed to **edwin.holloway@uspto.gov**.

10 15 20 Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Edwin Holloway** whose telephone number is **(703) 305-4818**.

EH

~~06-06-1~~

12-14-0


EDWIN C. HOLLOWAY, III

PRIMARY EXAMINER
ART UNIT 2635